



# **PLANNING COMMISSION AGENDA REPORT**

MEETING DATE: AUGUST 14, 2006

*U.L. 8*  
ITEM NUMBER:

SUBJECT: PLANNING APPLICATION PA-06-45  
550 BERNARD STREET, UNITS A AND B

DATE: AUGUST 3, 2006

FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER (714)754-5136

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## **DESCRIPTION**

The applicant proposes to convert an existing duplex into condominiums.

## **APPLICANT**

126 Properties LLC, is the property owner and applicant for this project.

## **RECOMMENDATION**

Approve by adoption of Planning Commission resolution, subject to conditions.

WENDY SHIH  
Associate Planner

R. MICHAEL ROBINSON, AICP  
Asst. Development Services Director

## PLANNING APPLICATION SUMMARY

Location: 550 Bernard Street, Units A and B Application: PA-06-45

Request: Conversion of an existing duplex into condominiums.

### SUBJECT PROPERTY:

### SURROUNDING PROPERTY:

Zone: <u>R2-HD</u>	North: <u>R3, apartments</u>
General Plan: <u>High Density Residential</u>	South: <u>Surrounding properties</u>
Lot Dimensions: <u>57 ft. x 85 ft.</u>	East: <u>are all R2-HD zoned</u>
Lot Area: <u>4,895 sq. ft.</u>	West: <u>and developed with apartments.</u>
Existing Development: <u>Single-story duplex and a detached 2-car garage behind a single-story, single-family residence and the Huscroft House. Planning Application PA-03-02 and Parcel Map PM-04-294 were approved for subdivision of the lot into three parcels. The duplex is located on the rear parcel.</u>	

## DEVELOPMENT STANDARD COMPARISON

<u>Development Standard</u>	<u>Required/Allowed</u>	<u>Proposed/Provided</u>
<b>Lot Size:</b>		
Lot Width	100 ft.	57 ft. <sup>1</sup>
Lot Area	12,000 sq. ft.	4,895 sq.ft. <sup>2</sup>
<b>Density:</b>		
Zone/General Plan	1:3,000 sq.ft./1:2,178 sq.ft.	1: 2,447.5 sq.ft. <sup>2</sup>
<b>Building Coverage:</b>		
Buildings	N/A	46% (2,229 sq.ft.)
Paving	N/A	21% (1,056 sq.ft.)
Open Space	40% (1,958 sq. ft.)	33% (1,610 sq.ft.) <sup>2</sup>
TOTAL	100% (4,895 sq.ft.)	100% (4,895 sq.ft.)
Private Open Space:	10 ft. x 10 ft. min.	11 ft. minimum
Building Height:	2 stories/27 ft.	1 story/11 ft.
<b>Setbacks:</b>		
Front (interior property line) Main structure/Detached Garage	5 ft./6 ft. separation	3 ft. <sup>2</sup> /6 ft. separation
Side – Main Bldg. (left alley/right)	5 ft./5 ft.	19 ft./5 ft.
Side – Detached Garage (left/right)	0 ft./0 ft.	27 ft./10 ft.
Rear - Main bldg./Detached Garage	6 ft. separation/0 ft.	6 ft. separation/1 ft.
<b>Parking:</b>		
Covered	2	2
Open	3	2
Guest	1	1
TOTAL	6 Spaces	5 spaces <sup>3</sup>
CEQA Status	<u>Exempt, Class 1</u>	
Final Action	<u>Planning Commission</u>	

<sup>1</sup> Legal, nonconforming.

<sup>2</sup> Subdivision with variances approved under PA-03-02 and PM-04-294.

<sup>3</sup> PA-03-02 approved for shared parking between the 3 lots (9 spaces required; 10 spaces provided).

**BACKGROUND**

The subject property contains a single-story duplex and a detached two car garage. It was originally part of a four-unit apartment complex built in the 1950's and 1960's. On June 9, 2003, Planning Commission considered Planning Application PA-03-02 to replace the front apartment unit with the Huscroft House, which was relocated to this site, in conjunction with a master plan and a minor design review. Also included with the request were variances and an administrative adjustment from open space, parking, minimum lot area, street frontage, and setback requirements, as well as a conditional use permit for shared parking to facilitate subdivision of the property into three lots. The Planning Commission approved the master plan and a minor design review but denied the variances, administrative adjustment, and conditional use permit to allow individual lots.

On July 7, 2003, on an appeal by the property owner, City Council approved all of the entitlements associated with the projects. On June 27, 2005, Parcel Map PM-04-294 was approved to facilitate the subdivision of the property into three independent lots. The units are in the process of being renovated and the duplex, which is located on the rear lot, is unoccupied.

The property owner proposes to convert the duplex units into condominiums. The Code was recently revised to allow two units to be constructed as or converted to, common interest units.

Pursuant to Code Section 13-42(g), Planning Commission review is required when occupied or previously occupied apartments are proposed to be converted to a common interest development. The review is required to confirm compliance with applicable development standards and to consider potential impacts on the rental housing supply and displacement of tenants if the City's vacancy rate is below 3%.

A parcel map will be required to be processed and recorded before the units can be sold independent of one another. The applicant is aware of this requirement but did not want to incur the cost of having the map prepared until Planning Commission acted on the conversion.

**ANALYSIS**

Common interest projects must comply with additional development standards above those applicable to apartments. These additional development standards include provision of a minimum 10-foot by 10-foot private open space for each unit and provision of on-site lighting. The project already complies with the common interest development requirements. The project is also in compliance with all applicable residential development standards, or has received a variance and/or administrative adjustment to deviate from Code.

There is concern that conversions may potentially diminish the supply of rental housing and displace long-term residents unreasonably, particularly senior citizens, low- and

moderate-income families, and families with school-age children. Consequently, City Council established a "critical vacancy rate" of 3% as the threshold for discouraging conversion of apartments to common interest developments. When the citywide rental vacancy rate is 3% or less, Planning Commission may deny any requested conversions. The 2000 census data indicates the City's rental vacancy rate is 2.8%.

Since both duplex units have been vacant for renovation, conversion of the units would not result in displacement of residents. It is staff's opinion that conversion of the units into condominiums will not substantially diminish the supply of rental housing since 60% of the City's housing units are renter occupied (40% is generally the norm) and General Plan Goal LU-1A.4 seeks to "improve the balance between rental and ownership housing opportunities".

As required by Code, a termite report was submitted. A property inspection report was not required because the property owner has been working closely with the Building Inspectors during renovation of the units to meet Code. All interior and exterior improvements (i.e. architectural upgrades, Energy Star appliances, landscaping) will be completed per conditions of approval under Planning Application PA-03-02.

### **GENERAL PLAN CONFORMITY**

Approval of the conversion will satisfy General Plan Goal LU-1A.4 that encourages additional home ownership opportunities in the City. The proposed conversion meets the General Plan's Land Use and Housing Element goals and objectives for additional ownership housing and will improve the balance between rental and ownership housing opportunities within the City. The units, whether utilized as apartments or condominiums, are consistent with the current High Density Residential General Plan land use designation.

### **ALTERNATIVES**

The units could be rented if the applicant's request is denied.

### **ENVIRONMENTAL DETERMINATION**

The project is exempt from the provisions of the California Environmental Quality Act under Section 15301 for Existing Facilities.

### **CONCLUSION**

All on-site improvements were approved under Planning Application PA-03-02. The project is in compliance with all common interest development requirements. Conversion of the apartments will result in additional home ownership opportunities and balancing the ratio of rental to ownership housing within the City. Since both duplex units have been vacant for renovation, conversion of the units would not result in displacement of residents.

Attachments:      Draft Planning Commission Resolution with Exhibits  
                         Applicant's Project Description and Justification  
                         Termite Report  
                         Location Map  
                         Plans

cc:      Deputy City Manager - Dev. Svs. Director  
            Deputy City Attorney  
            City Engineer  
            Fire Protection Analyst  
            Staff (4)  
            File (2)

John Moreheart  
126 Properties, LLC  
126 East 16<sup>th</sup> Street  
Costa Mesa, CA 92627

File: 081406PA0645	Date: 072606	Time: 10:30 a.m.
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**RESOLUTION NO. PC-06-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF COSTA MESA APPROVING PLANNING  
APPLICATION PA-06-45**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY  
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by 126 Properties, LLC, property owner with respect to the real property located at 550 Bernard Street, Units A and B, requesting approval of the conversion of the duplex to a common interest development (condominiums), in the R2-HD zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on August 14, 2006.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** Planning Application PA-06-45 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the Staff Report for Planning Application PA-06-45 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

**PASSED AND ADOPTED this 14<sup>th</sup> day of August, 2006.**

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Bill Perkins, Chair  
Costa Mesa Planning Commission

STATE OF CALIFORNIA   )  
  )ss  
COUNTY OF ORANGE    )

I, R. Michael Robinson, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on August 14, 2006, by the following votes:

AYES:       COMMISSIONERS

NOES:       COMMISSIONERS

ABSENT:     COMMISSIONERS

ABSTAIN:    COMMISSIONERS

\_\_\_\_\_  
Secretary, Costa Mesa  
Planning Commission

**EXHIBIT "A"****FINDINGS**

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(e) in that:
  - a. The project is compatible and harmonious with existing development and uses in the general neighborhood.
  - b. Safety and compatibility of the design of buildings, parking areas, landscaping, luminaries and other site features, which includes functional aspect of the site development such as automobile and pedestrian circulation, have been considered.
  - c. The project is consistent with the General Plan in that the conversion will satisfy General Plan goals that encourage additional home ownership opportunities and to improve the balance between rental and ownership housing opportunities within the City.
  - d. The planning application is for a project-specific case and is not to be construed to be setting a precedent for future development.
- B. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(10) in that, although the critical vacancy rate is less than the rate established in Section 13-42(c) (Residential Common Interest Development Conversions), the condominium conversion will not result in the displacement of long-term residents, senior citizens, or school age children because the units have been vacant for renovation. Conversion of the apartments will provide additional home ownership opportunities and improve the ratio of rental to ownership housing within the City.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA under Section 15301 for Existing Facilities.
- D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.



**EXHIBIT "B"**

**CONDITIONS OF APPROVAL**

- Plng.    1.      Applicant shall contact the Building Safety Division, prior to recordation of the parcel map, to provide proof that the Uniform Building Code requirements for condominiums have been satisfied, to obtain a change of occupancy permit, and to complete any additional requirements created through this conversion.
2.      All conditions of approval and Code requirements of Planning Application PA-03-02 shall still be complied with.
3.      The CC&R's shall require that garage spaces be used for parking only. Any changes made to this provision require prior review and approval by the City of Costa Mesa.
4.      The applicant shall show proof of compliance with all applicable conditions of approval and code requirements prior to recordation of the final map. This condition shall be completed under the direction of the Planning Staff.
5.      The CC&Rs shall include a provision mandating binding arbitration in the event of any dispute between the two property owners relating to the homeowner's association.

**126 PROPERTIES, LLC**

May 16, 2006

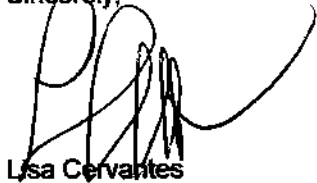
City of Costa Mesa  
Development Services Department  
77 Fair Drive  
Costa Mesa, Ca

Re: Application for Common Interest Development  
Property : 550 Bernard Street

We are in the final stages of completing the restoration of the Huscroft house at 546 Bernard Street and the renovation of the single family home at 548 Bernard Street and the duplex at 550 Bernard Street. In an effort to create owner occupied homes rather than rental units, we are making this application for a common interest development for the duplex at 550 Bernard Street. We know the neighborhood would be better served by owner occupied homes. We have successfully transformed the duplex, with close supervision of Pete Tenaci of the Costa Mesa building department, using construction details consistent with the look and quality of the Huscroft House.

We appreciate your kind consideration of this application.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lisa Cervantes', with a large, sweeping flourish extending to the right.

Lisa Cervantes

**126 E 16TH STREET COSTA MESA CA 92627 949 548 2720 FAX 949 548 4720**

# WESTERN EXTERMINATOR COMPANY

Family Pride In Excellence Since 1921



1-800-WEST-EXT  
1-800-937-8398  
www.west-ext.com

## WORK ORDER AGREEMENT

(714) 893-8055 - (714) 897-0656 -

Phone

Fax

OWNER / AGENT: JOHN MOREHART, 126 PROPERTIES LLC, 126 EAST 16TH STREET SUITE E, COSTA MESA, CA

PROPERTY ADDRESS: 550 BERNARD STREET CITY: COSTA MESA STATE: CA ZIP: 92627

ITEMIZATION OF COST FOR WORK RECOMMENDED ON TERMITE REPORT # 703427252

2A -1 = 1672.00

2A -2 = Included w/2A-1

Item Total: 1672.00

\* PRICES ARE BASED ON WESTERN EXTERMINATOR COMPANY PERFORMING ALL OF THE RECOMMENDED SERVICE.  
IF ALL OF THE WORK IS NOT AUTHORIZED, PRICES ARE SUBJECT TO REVIEW.

**Terms:** For property in escrow, payment in full is due at close of escrow. If escrow company fails to pay Western's service fees within 90 days of completion of the work, Customer will be billed directly and shall be liable for any unpaid monies due to Western. Any balance remaining 90 days after completion of the work shall be charged interest at the rate of 1 1/2% per month, or 18% per annum. For non escrow property, a deposit of 1/3 down is required prior to the start of work and the remainder is due at completion. Any balance remaining 30 days after completion of work shall be charged interest at the rate of 1 1/2% per month, or 18% per annum.

PAYMENT: (circle one) CASH \* CHECK \* CREDIT CARD ( AE - DISC. - M/C - VISA )

CREDIT CARD # EXP. DATE: / /

TOTAL

1/3 DEPOSIT  
IF APPLICABLE

DUE UPON  
COMPLETION



Escrow Company Escrow # Close Date: / /

Address State Zip Phone ( ) -

Does any person living or working at this address have any known chemical sensitivities or allergies?

YES	NO	Initial
YES	NO	Initial

Have you or anyone else living or working at this address ever made any pesticide applications to the interior or exterior of the structure?

### AUTHORIZATION

#### CONDITIONS

\* Prices are good for 30 days from date of inspection.

\* Your rights per "Federal Truth in Lending Law", a "Notice to Owner" and the policy re: "Arbitration of Disputes" are on page two of this agreement.

By signing below, you state that you have read and agree to the Terms & Conditions on the front and back of this Work Order Agreement.

I hereby authorize Western Exterminator Company to perform the following items:

On Report # 703427252

By Owner/Agent/Buyer (Print Name)

Res. Phone ( ) Work ( )

Signature Date / /

NOTE: WORK WILL NOT COMMENCE UNTIL DELIVERY OF YOUR  
"WOOD DESTROYING PEST AND ORGANISMS INSPECTION REPORT"  
For details regarding the above recommendations please refer to your Inspection Report.

Western Exterminator Company

By JEFF FELARCA

(Print Name)

(Signature)

Date 06/07/2006 Lic.# FR29804

RECEIPT OF PESTICIDE NOTIFICATION

Customer Initials	Customer unavailable left at location
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1-800-WEST-EXT  
(1-800-937-8398)

FORM 1019 REV 05/03

The West's Largest & Oldest  
Family Owned & Operated  
Termite & Pest Control Company  
SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

WESTERN  
EXTERMINATOR COMPANY





OWNER / AGENT: JOHN MOREHART, 126 PROPERTIES LLC, 126 EAST 16TH STREET SUITE E, COSTA MESA, CA

PROPERTY ADDRESS: 550 BERNARD STREET CITY: COSTA MESA STATE: CA ZIP: 92627

ITEMIZATION OF COST FOR WORK RECOMMENDED ON TERMITE REPORT # 703427252

2A -1 = 1672.00  
2A -2 = Included w/2A-1

Item Total: 1672.00

\* PRICES ARE BASED ON WESTERN EXTERMINATOR COMPANY PERFORMING ALL OF THE RECOMMENDED SERVICE.  
IF ALL OF THE WORK IS NOT AUTHORIZED, PRICES ARE SUBJECT TO REVIEW.

**Terms:** For property in escrow, payment in full is due at close of escrow. If escrow company fails to pay Western's service fees within 90 days of completion of the work, Customer will be billed directly and shall be liable for any unpaid monies due to Western. Any balance remaining 90 days after completion of the work shall be charged interest at the rate of 1 1/2% per month, or 18% per annum. For non escrow property, a deposit of 1/3 down is required prior to the start of work and the remainder is due at completion. Any balance remaining 30 days after completion of work shall be charged interest at the rate of 1 1/2% per month, or 18% per annum.

PAYMENT: (circle one) CASH \* CHECK \* CREDIT CARD ( AE - DISC. - M/C - VISA )  
CREDIT CARD # EXP. DATE: / /

TOTAL

1/3 DEPOSIT  
IF APPLICABLE

DUE UPON  
COMPLETION



Escrow Company Escrow # Close Date: / /

Address State Zip Phone ( ) -

Does any person living or working at this address have any known chemical sensitivities or allergies?

YES	NO	Initial
YES	NO	Initial

Have you or anyone else living or working at this address ever made any pesticide applications to the interior or exterior of the structure?

### AUTHORIZATION

#### CONDITIONS

\* Prices are good for 30 days from date of inspection.  
\* Your rights per "Federal Truth in Lending Law", a "Notice to Owner" and the policy re: "Arbitration of Disputes" are on page two of this agreement.  
By signing below, you state that you have read and agree to the Terms & Conditions on the front and back of this Work Order Agreement.  
I hereby authorize Western Exterminator Company to perform the following items:

On Report # 703427252

By Owner/Agent/Buyer (Print Name)

Res. Phone ( ) Work ( )

Signature Date / /

NOTE: WORK WILL NOT COMMENCE UNTIL DELIVERY OF YOUR  
"WOOD DESTROYING PEST AND ORGANISMS INSPECTION REPORT"  
For details regarding the above recommendations please refer to your Inspection Report.

Western Exterminator Company

By JEFF FELARCA  
(Print Name)

(Signature)  
Date 06/07/2006 Lic.# FR29804


RECEIPT OF PESTICIDE NOTIFICATION	
Customer Initials	Customer unavailable left at location



# WOOD DESTROYING PESTS AND ORGANISMS INSPECTION REPORT

BUILDING NO. 550	STREET BERNARD STREET	CITY COSTA MESA	ZIP 92627	Date of Inspection 06/07/2006	NUMBER OF PAGES 1 of 7
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<h2 style="margin: 0;">WESTERN</h2> <h3 style="margin: 0;">EXTERMINATOR COMPANY</h3> <p style="margin: 0;">15552 Producer Lane Huntington Beach, CA 92649-1308</p>		<p><b>The West's Largest Family Owned &amp; Operated Termite &amp; Pest Control Company</b></p> <p><b>(714) 893-8055 - Phone # (714) 897-0656 - Fax www.west-ext.com PR 0729 Rpt# 703427252</b></p>
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Ordered by: <b>JOHN MOREHART</b> 126 PROPERTIES LLC 126 EAST 16TH STREET SUITE E COSTA MESA, CA 92627	Property Owner and/or Party of Interest <b>JOHN MOREHART</b> 126 PROPERTIES LLC 126 EAST 16TH STREET SUITE E COSTA MESA, CA 92627	Report sent to: <b>JOHN MOREHART</b> 126 PROPERTIES LLC 126 EAST 16TH STREET SUITE E COSTA MESA, CA 92627
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COMPLETE REPORT <input checked="" type="checkbox"/>	LIMITED REPORT <input type="checkbox"/>	SUPPLEMENTAL REPORT <input type="checkbox"/>	REINSPECTION REPORT <input type="checkbox"/>
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GENERAL DESCRIPTION: This is a one story, single family residence. It has a detached car garage. It was vacant at the time of inspection.	Inspection Tag Posted: <b>Meter box.</b> Other Tags Posted:
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An inspection has been made of the structure(s) on the diagram in accordance with the the Structural Pest Control Act. Detached porches, detached steps, detached decks and any other structures not on the diagram were not inspected.

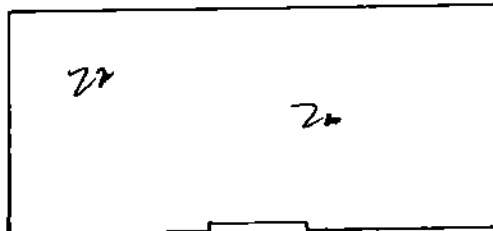
  

Subterranean Termites <input type="checkbox"/>	Drywood Termites <input checked="" type="checkbox"/>	Fungus/Dryrot <input type="checkbox"/>	Other Findings <input type="checkbox"/>	Further Inspection <input type="checkbox"/>
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If any of the above boxes are checked, it indicates that there were visible problems in accessible areas. Read the report for details on checked items

Key:	1 = Subterranean Termites	2 = Drywood Termites	3 = Fungus/Dryrot	4 = Other Findings	5 = Further Inspection
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Inspected By JEFF FELARCA License No. FR29804

Signature [Signature]

You are entitled to obtain copies of all reports and completion notices on this property report to the Structural Pest Control Board during the proceeding two years. To obtain copies contact: Structural Pest Control Board, 1418 Howe Avenue, Suite 18, Sacramento, California, 95825-3204.

NOTE: Questions or problems concerning the above report should be directed to the manager of the company. Unresolved questions or problems with services performed may be directed to the Structural Pest Control Board at (916) 561-8708, (800) 737-8188 or [www.pestboard.ca.gov](http://www.pestboard.ca.gov).

43M-41 (Rev. 10/01)

BUILDING NO.	STREET	CITY	DATE OF INSPECTION	NUMBER OF PAGES
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## What Is A Wood Destroying Pests and Organisms Inspection Report?

Please pay special attention to the following two paragraphs which explain the scope and limitations of a Structural Pest Control Inspection and a Wood Destroying Pests and Organisms Inspection Report.

A "Wood Destroying Pests And Organisms Inspection Report" contains findings as to the presence or absence of evidence of wood destroying insects or organisms in visible and accessible areas on the date of inspection and contains our recommendations for correcting any infestations, infections, or conducive conditions found. The contents of the Wood Destroying Pests and Organisms Inspection Report are governed by the California Structural Pest Control Act and its Rules and Regulations.

Some structures may not comply with building code requirements or may have structural plumbing, electrical, heating and air conditioning, or other defects that do not pertain to wood destroying organisms. A Wood Destroying Pests and Organisms Report does not contain information about any such defects as they are not within the scope of the license of the inspector or the company issuing this report.

Local treatment is not intended to be an entire structure treatment method. If infestations of wood-destroying pests extend or exist beyond the area(s) of local treatment, they may not be exterminated.

**NOTICE: Reports on this structure prepared by various registered companies should list the same findings (i.e., termite infestations, termite damage, fungus damage, etc.). However, recommendations to correct these findings may vary from company to company. You have the right to seek a second opinion from another company.**

## 2. DRYWOOD TERMITES

### ITEM NO. 2A

#### FINDING:

Drywood termite alates (winged reproductives) noted at attic. Source was not apparent and could not be determined.

#### RECOMMENDATION: 2A-1

Vacate and seal the structure. Fumigate with the registered fumigant Vikane (sulfuryl fluoride). Chloropicrin to be used as the warning agent. Please note effects of over-exposure from these materials can include the following: shortness of breath, double vision, unusual drowsiness and weakness and tremors. Your health and safety is our major concern. If you experience the symptoms as outlined here, leave the structure immediately and call our office.

Remove the seals and aerate the structure ready for occupancy.

Prior to the fumigation process certain preparations must be made. Please refer to our "Occupants' Fumigation Notice and Instruction Sheet" for specific guidelines. Preparation per these instructions is not the responsibility of Western Exterminator Company.

The fumigation cannot be done in strong winds or rain and will be rescheduled if there is inclement weather.

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The fumigation process requires that work crews walk on the roof. Many roofs are brittle and suffer some damage when walked upon. The Company will not be responsible for damage resulting from walking or working on the roof, or for any damage to any of the following items: any roofing surface; radio and television antennas; plants which are clinging or very close to the structure; awnings; gutters; patio covers; solar heating panels; plumbing fixtures; or any other items on, or connected to, the roof, including chimneys.

DUE TO THE FRAGILE NATURE OF TILE, METAL, SLATE OR OTHER DELICATE ROOF COVERINGS, AND THE NECESSITY OF WALKING THEREON, SOME DAMAGE MAY OCCUR WHILE PLACING AND REMOVING SEALS IN THE COURSE OF FUMIGATION OF THE STRUCTURE. IF THIS RECOMMENDATION IS COMPLETED IT IS UNDERSTOOD THAT THE OWNER OR HIS AGENT WILL HOLD WESTERN EXTERMINATOR COMPANY HARMLESS FROM ALL LIABILITY REGARDING ROOF DAMAGE.

Western Exterminator Company does not provide on-site security and does not assume any responsibility for the care and custody of the property in the event of vandalism or breaking and entering. Western Exterminator Company requests that all valuables such as jewelry, coins, collections, cash, art objects and other items of value be removed prior to fumigation.

RECOMMENDATION: 2A-2

Remove or cover accessible evidence of infestations.

**Western Exterminator Company guarantees we have eliminated drywood termites within the space fumigated for a period of two years from the date of completion.**

**THANK YOU FOR CHOOSING WESTERN EXTERMINATOR COMPANY.**

**If you have any questions concerning this Report or if we can be of any additional service, please call us at 1-800-WEST-EXT (1-800-937-8398).**

**Building Permits:** In some cases, report items listed will require a building permit from the local building department. Any additional work required by the local building department, or required to remedy additional damage not noted in the report, but discovered in the performance of the work agreement, or change in the manner of scope, type, or the nature of the work item to be performed, due to the request of the building department or any other party, will not be done until a separate written agreement is authorized by the Customer or Customer's Agent, and accepted by Western Exterminator Company.

**The exterior surface of the roof was not inspected. If you want the water tightness of the roof determined, you should contact a roofing contractor who is licensed by the Contractor's State License Board.**

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550	BERNARD STREET	COSTA MESA	92627	06/07/2006	4 of 7

This property was inspected for visible and accessible evidence of wood destroying organisms such as wood rot by fungi. The inspection and this report do not address fungi other than wood destroying fungi, nor do they assess the health impacts of any fungus, including wood destroying fungi. We are neither qualified, authorized nor licensed to inspect for health-related fungi, including molds, or to make an opinion as to the health impacts of any fungus, including wood rot fungi. If you desire information about the presence or absence of health-related fungi, including molds, you should contact a qualified industrial hygienist or other relevant health professional.

Western Exterminator Company will not be responsible for damage to floor covering or its repair.

Western Exterminator Company will not be responsible for damage to plants or their replacement.

NOTE: Detached garage not inspected.

If requested ...This company will reinspect repairs done by others within four months of the original inspection. A charge, if any, can be no greater than the original inspection fee for each reinspection. The reinspection must be done within ten (10) working days of request. The reinspection is a visual inspection and if inspection of concealed area is desired, inspection of work in progress will be necessary. Any guarantees must be received from parties performing repairs.

NOTE: Western Exterminator Company is making this subterranean termite preventative recommendation due to the unseen termite activity which may or may not exist in the soil below or surrounding your building. Much more information about the Sentricon System is available from our Inspector.

Eliminate potential subterranean termite activity in the soil surrounding or under the building using the Sentricon System. Small bait stations containing cellulose material for monitoring purposes are installed below the ground around the building. Our authorized Sentricon Technician regularly monitors these stations for subterranean termite activity. When termites appear in any station, that station's bait tubes are switched to another tube containing small amounts of an insect growth regulator called Noviflumuron. Noviflumuron is a substance that prevents subterranean termites from growing which means the termites die. In time, the entire underground colony is eliminated. After we confirm this colony elimination, we switch back to the original monitoring devices and our authorized Sentricon Technician examines these regularly. If you have permitted us to install our Sentricon ground stations according to label directions around the outside of your property and subterranean termites attack your building, Western Exterminator Company will perform a spot treatment at the site of attack and repair/replace any visible damage in excess of what was noted in our initial report at no charge.

#### **ARBITRATION OF DISPUTES**

**BY RELYING ON THIS WOOD DESTROYING ORGANISMS REPORT, YOU AGREE THAT ANY CONTROVERSY OR CLAIM ARISING OUT OF OR RELATING TO WESTERN'S INSPECTION AND/OR THIS REPORT SHALL BE SETTLED BY ARBITRATION IN ACCORDANCE WITH THE CONSTRUCTION INDUSTRY ARBITRATION RULES OF THE AMERICAN ARBITRATION ASSOCIATION, AND JUDGMENT UPON THE AWARD RENDERED BY THE ARBITRATOR(S) MAY BE ENTERED IN ANY COURT HAVING JURISDICTION THEREOF.**



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**WESTERN'S PERFORMANCE OF THE RECOMMENDATIONS DESCRIBED ABOVE IS GOVERNED BY THE TERMS OF A WORK AUTHORIZATION, WHICH PROVIDES THAT ANY CONTROVERSY OR CLAIM ARISING OUT OF OR RELATING TO WESTERN'S WORK SHALL BE SETTLED BY ARBITRATION IN ACCORDANCE WITH THE CONSTRUCTION INDUSTRY ARBITRATION RULES OF THE AMERICAN ARBITRATION ASSOCIATION, AND JUDGMENT UPON THE AWARD RENDERED BY THE ARBITRATOR(S) MAY BE ENTERED IN ANY COURT HAVING JURISDICTION THEREOF.**

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#### DISCLAIMER

Items relate to locations, accessibility, conditions, infestations and infections noted at the time of this inspection. Although we make a visual inspection there are areas, which are inaccessible for inspection. These include areas to which there is no access without defacing or tearing out lumber, masonry, or finished work. We do not move furniture, appliances, or raise floor coverings, nor do we routinely inspect the following areas: behind or under built-in cabinet work, behind or under appliances, beneath floor coverings, under concrete slabs; the interiors of hollow walls, bay windows, porte cocheres, columns or abutments. Unless there are specific areas noted in the body of this Report, any further inspection other than set forth in this Report would be impractical. This inspection only pertains to the structure(s) indicated on the diagram. This Report is a statement of conditions at the time of this inspection only. Western Exterminator Company does not certify the water integrity of roofs. Please read all of the information contained with this Report. We recommend all items in our Report be completed. If others perform work we cannot be responsible or certify absence or presence of infestations or infections if this Company is not contacted to reinspect prior to closing any areas. Western Exterminator Company will not guarantee work performed by others. This Report is not to be used to satisfy escrow requirements unless our inspection fee is paid. See the attached Work Order for the cost of recommended items. An authorized signature is necessary before any work can be performed.

#### REINSPECTION

A reinspection will be performed if requested by the person who ordered the complete inspection. The request for reinspection must be made within four months of the complete inspection. The reinspection will be performed within ten working days of the request. The fee for a reinspection shall not be more than the complete inspection fee.

#### GUARANTEES

Western Exterminator Company guarantees the work completed by this Company for a period of one year from the date of completion unless otherwise stated in the body of this Report, with the exception of plumbing, grouting, caulking, resetting of toilets, resetting of enclosures, or floor coverings, which are guaranteed for 30 days, as these are Owner maintenance areas.

#### HOMEOWNER PROTECTION POLICY

A Homeowner Protection Policy may be available at the end of the Guarantee Period. Western Exterminator Company always strives to provide its customers with the most efficient methods of pest control. We continually provide our employees with constant, on-going education so they can provide our customers with the best possible service results, and so we can use pesticides in the safest possible manner for our customers and ourselves. In accordance with our sense of responsibility for the safety of our customers and employees, we ask that you read the following:

#### CALIFORNIA STATE LAW REQUIRES THAT YOU BE GIVEN THE FOLLOWING INFORMATION:

**CAUTION - PESTICIDES ARE TOXIC CHEMICALS** "Structural Pest Control Companies are registered and regulated by the Structural Pest Control Board, and apply pesticides which are registered and approved for use by the California Department of Pesticide Regulation and the United States Environmental Protection Agency. Registration is granted when the state finds that based on existing scientific evidence there are no appreciable risks if proper use conditions are followed or that the risks are outweighed by the benefits. The degree of risk depends upon the degree of exposure, so exposure should be minimized."

If within 24-hours following application you experience symptoms similar to common seasonal illness comparable to the flu (Pesticides with non-flu like symptoms are asterisked below), contact your physician or poison control center (telephone number listed below) and your pest control operator immediately. For further information contact any of the following: Your local office of Western Exterminator Company; for Health Questions - Your County Health Department (telephone number listed below); for Application Information - Your County Agricultural Commissioner (telephone number listed below); and for Regulatory Information - The Structural Pest Control Board, (800) 737-8188, 1418 Howe Avenue, Suite 18, Sacramento, CA 95825.

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POISON CONTROL CENTER  
(800) 876-4766

CALIFORNIA COUNTY AGRICULTURAL COMMISSIONERS  
Los Angeles - (626) 575-5466

CALIFORNIA HEALTH OFFICES  
Los Angeles - (213) 250-8055

LISTED BELOW ARE PESTICIDES THAT MAY BE USED ON YOUR PROPERTY DURING THE COURSE OF OUR WORK\*:

\*The names of materials actually used during each visit will be on the Completion Notice or the Invoice / Service Slip.

\*Cy-Kick Crack and Crevice Pressurized (Cyfluthrin), Dragnet SFR (Permethrin), Drione Insecticide (Pyrethrins/ Silica Gel/ Piperonyl Butoxide), Jecta (Disodium Octaborate Tetrahydrate), Premise 75 Insecticide (Imidacloprid), Premise Foam (Imidacloprid), Prevail (Cypermethrin), Recruit AG (Noviflumuron), Recruit IV (Noviflumuron), Termidor SC (Fipronil), Tim-bor (Disodium Octaborate Tetrahydrate), XT-2000 (D-Limonene). Fumigants: Chloropicrin\*\* and Vikane (Sulfuryl Flouride)\*\*\*.

\* Except as noted, effects of overexposure to these materials can include nasal and respiratory irritation, dizziness, headache, and fatigue.

\*\* Effects of overexposure to this material will cause teary eyes.

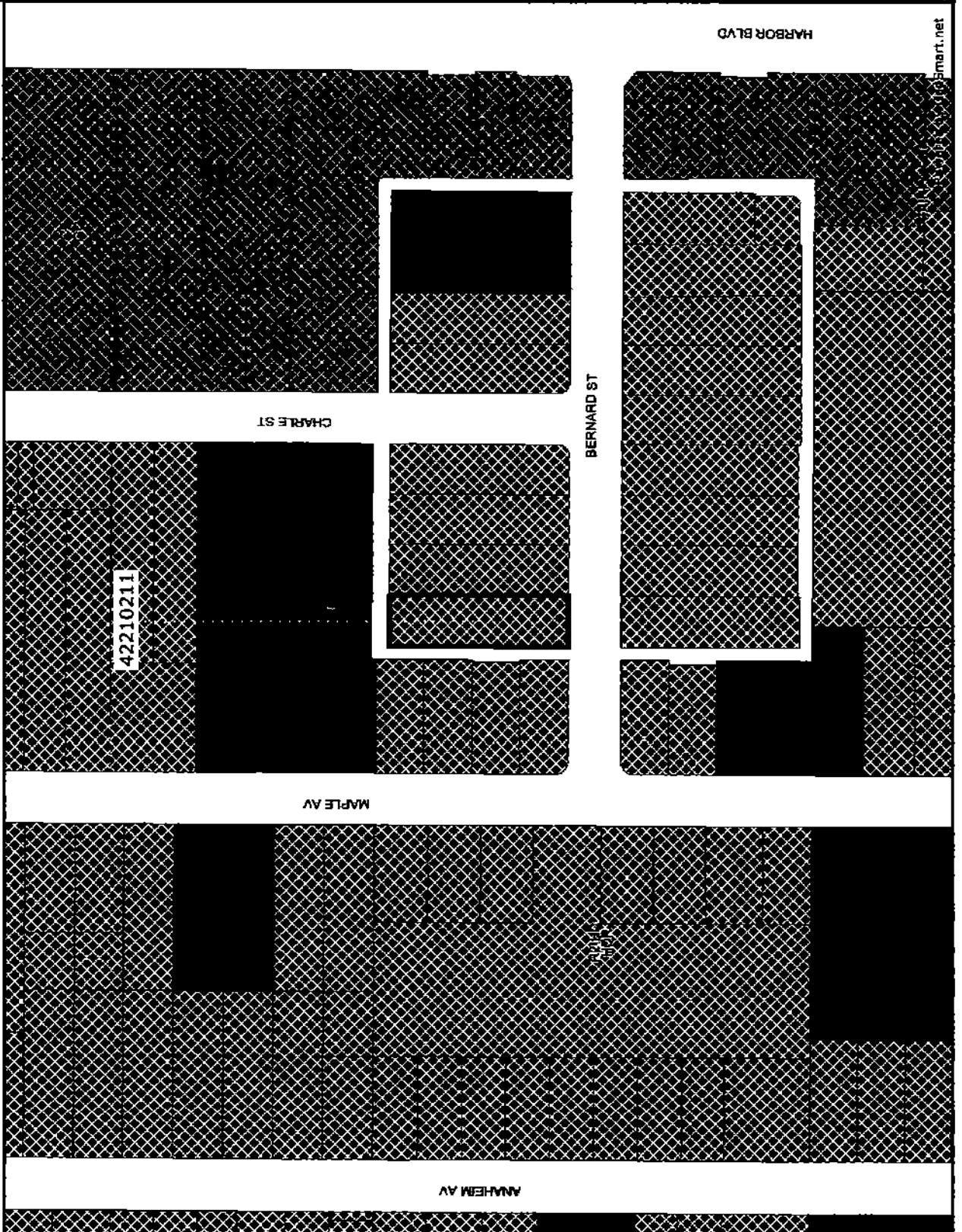
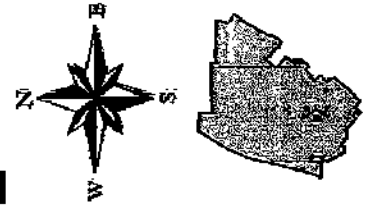
\*\*\* Effects of overexposure to this material can include poor coordination, slurring words and confusion.

# ZONING/LOCATION MAP

550 Bernard Street

## Legend

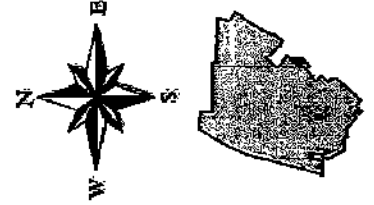
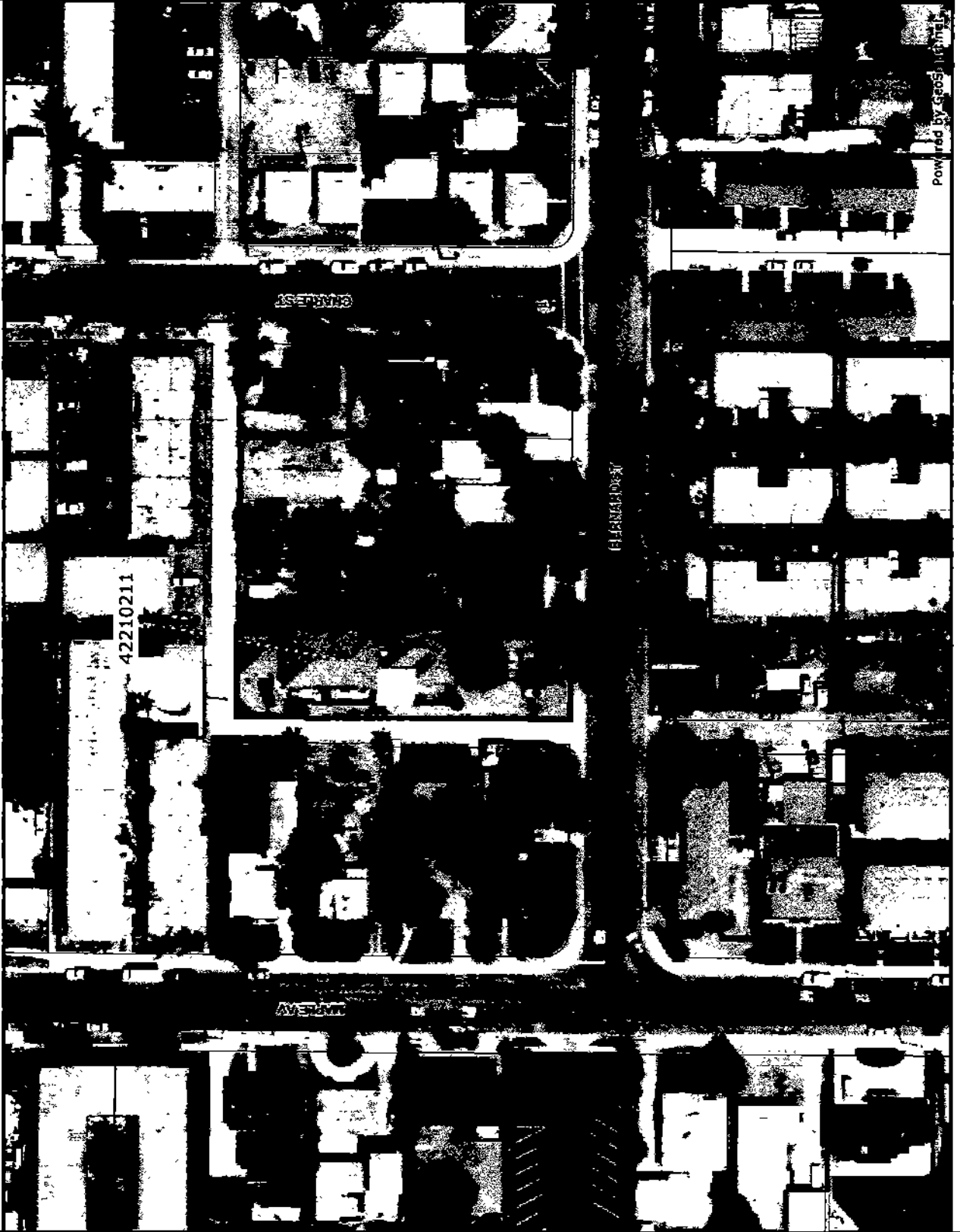
- ☐ Selected Features
- Street Names
- Parcel Lines
- City Boundary
- Zoning
  - AP
  - C1
  - C1-S
  - C2
  - CL
  - IAR
  - IAR-S
  - MG
  - NP
  - P
  - PDC
  - PDI
  - PDR-HD
  - PDR-LD
  - PDR-MD
  - PDR-NCM
  - R1
  - R2-HD
  - R2-MD
  - R3
  - TC
- General Plan
  - Other
  - Cultural Arts Center
  - Commercial Center

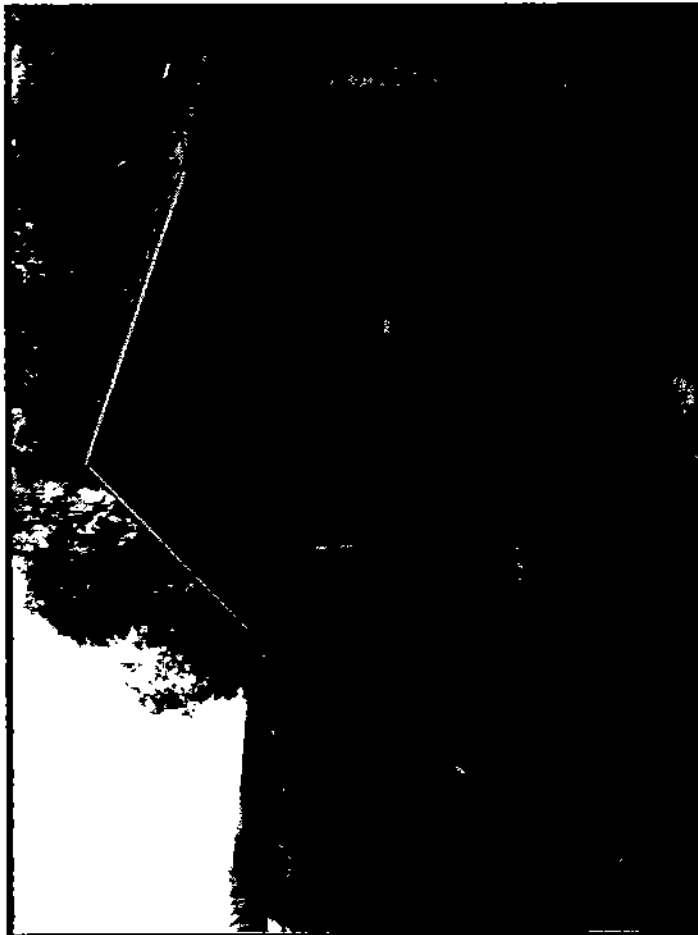


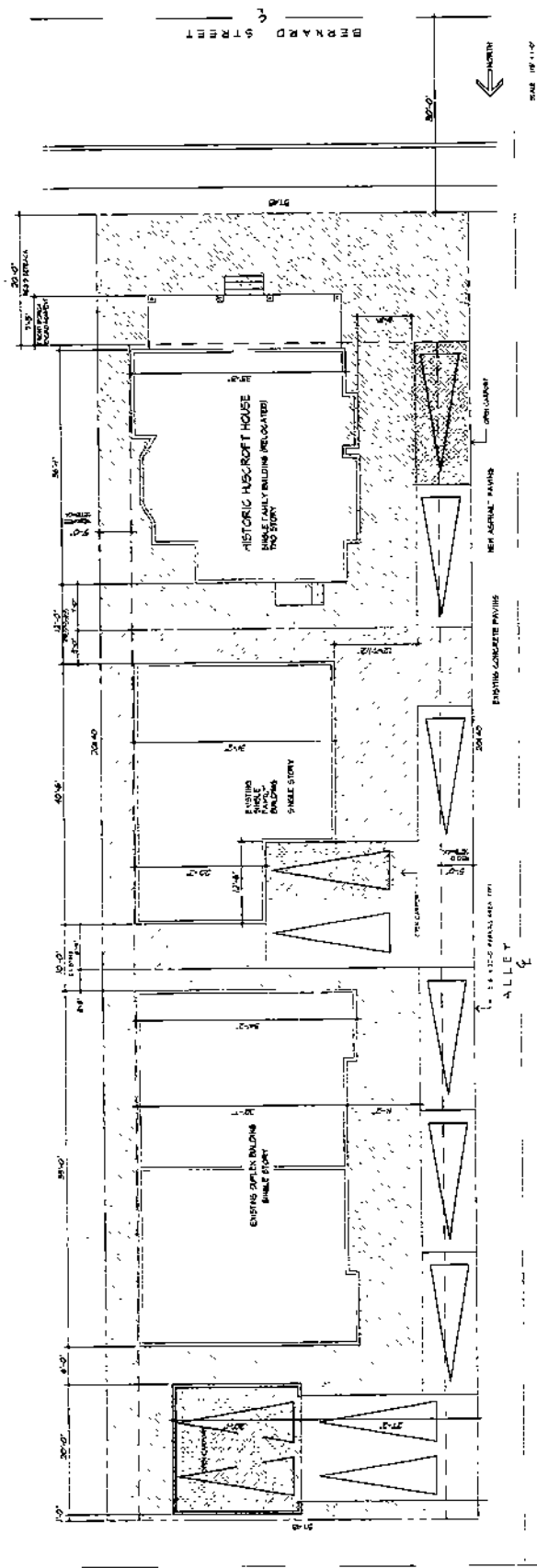
# 550 Bernard Street

## Legend

- ☐ Selected Features
- Street Names
- Parcel Lines
- City Boundary
- Ortho Photography
- parcels

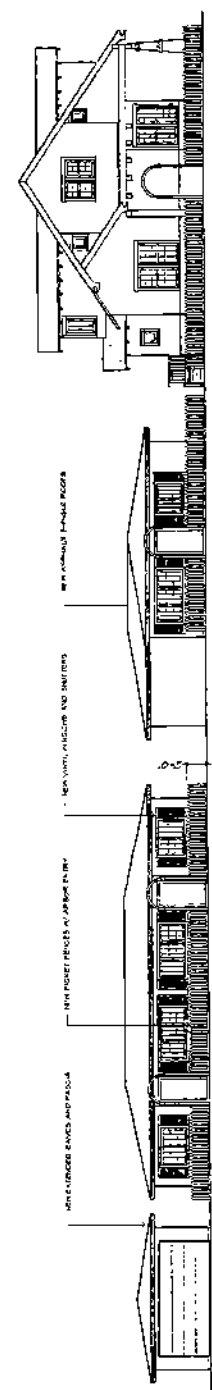






CURRENT LOT SIZE: 11,565.98 SF  
 TOTAL LOT SIZE / REQ'D OPEN SPACE  
 11,565.98 X 40% = 4,626.15 SF  
 PROVIDED: 4,700.90 SF

PARKING PROVIDED = 12 SPACES  
 4 COVERED SPACES AND 8 OPEN SPACES

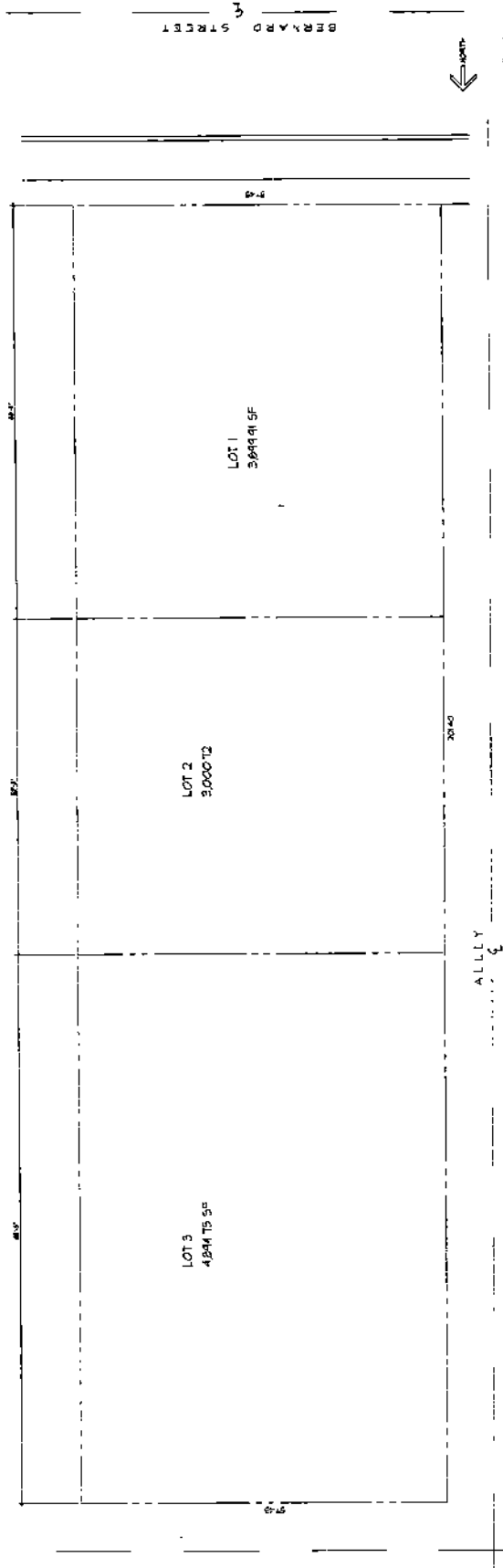


ELEVATION OF REMODELED EXISTING STRUCTURES WITH HUSCROFT HOUSE

Barry Walker, Architect  
P.O. Box 11658  
Newport Beach, California 92658  
949 246 4085 fax 714 549 1495

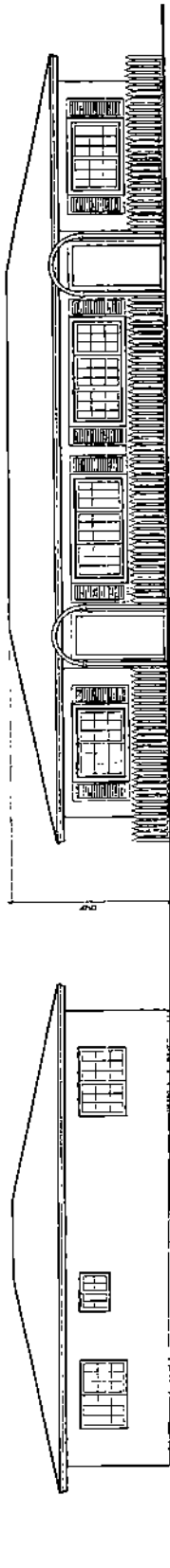
Site Plan  
Proposed Lot Split

126 Properties, L.L.C.  
126 East 16th Street  
Costa Mesa, California

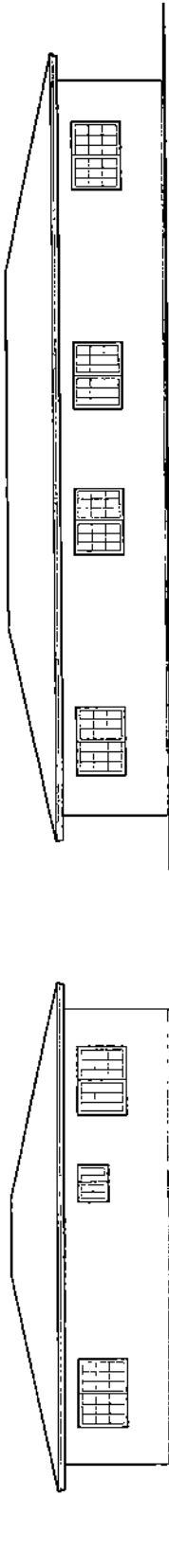


AREA TABULATION			CURRENT LOT SIZE.	
BLDG	OFFN	TOTAL	TOTAL LOT SIZE / REG'D	OPEN SPACE
COVER	SPACE			
LOT 1	1340.14	368.91	11565.30 X 408 = 4,626.15 SF	
LOT 2	1126.54	744.25	PRO-VIDED.	4,100.40 SF
LOT 3	2224.21	1001.44		
4645.15	4700.60	11565.30		

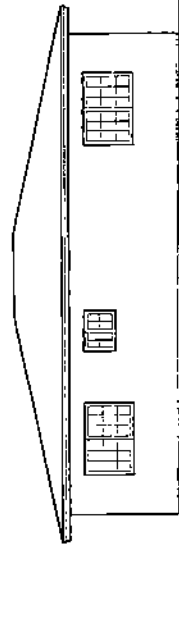




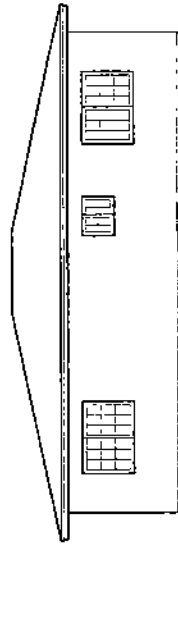
FRONT ELEVATION



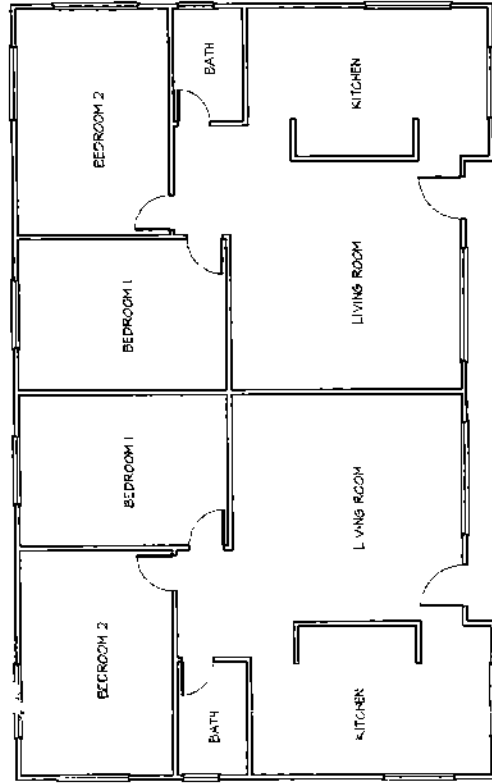
REAR ELEVATION



LEFT ELEVATION



RIGHT ELEVATION



FLOOR PLAN

SCALE: 1/4" = 1'-0"